

**Government of Madhya Pradesh
Commerce, Industry and Employment Department
Mantralaya Vallabh Bhawan**

Bhopal, Dated /5/2015

NOTIFICATION

No F-1-102/2011/A-11::In exercise of the powers conferred by section 43 of the Madhya Pradesh Society Registrkaran Adhinyam, 1973 (No. 44 of 1973), the State Government, hereby makes the following amendments in the Madhya Pradesh Society Registrkaran Niyam, 1998, namely :-

AMENDMENT

In the said rules, -

- 1 For the existing rule 3, the following rule shall be substituted, namely :-

“3. Memorandum and bye-laws of society :- Registration of every memorandum of society to be filled under section 5 shall be in Form I or in a form as near to as circumstances admit and registration for model bye-laws may be in Form IA.”

- 2 For the existing Schedule, the following schedule shall be substituted, namely :-

**“SCHEDULE
(see rule 4)
Fees**

- | | | |
|-----|---|---|
| (1) | Under section 7 Registration of Society | Routine Rs. 3,000/-
Urgent Rs. 5,000/- |
| (2) | Under section 7 Registration of Mahila Mandal/Yuvak Mandal | Routine Rs. 1,000/-
Urgent Rs. 1,500/- |
| (3) | Registration of societies constituted by residents illegal colonies notified by Urban Administration and Development Department (This provision shall be applicable for 3 years from the date of notification). | No fees |
| (4) | Under section 10 each amendment | Rs. 1000/- |

(5) Under sub-section (3) of section 21:-	
(A) Application under sub-section (1),-	
(i) For permission to purchase	
Upto 5 lacs	Rs.10,000/-
above 5 lacs upto 15 lacs	Rs. 20,000/-
above 15 lacs upto 25 lacs	Rs. 40,000/-
above 25 lacs upto 50 lacs	Rs.80,000/-
Above 50 lacs	Rs.80,000/- (+ on every 5 lacs or its fraction Rs. 10,000/-)
(ii) For permission of sale	
Upto 5 lacs	Rs.10,000/-
above 5 lacs upto 15 lacs	Rs.20,000/-
above 15 lacs upto 25 lacs	Rs. 40,000/-
above 25 lacs upto 50 lacs	Rs.80,000/-
above 50 lacs	Rs.80,000/- (+ on every 5 lacs or its fraction Rs. 25,000/-)
(iii) For each gift	Rs. 25,000/-
(B) For otherwise, utilizing of immovable property under sub-section (2)	10% of the cost of plan or Rs.50,000/- whichever is more
(6) Under section 27 return every year	Rs.1,000/-

- | | |
|---|--|
| (7) Under section 28 audited statement every year | Rs.1,000/- |
| (8) Under section 29 copies, inspection | Rs.20/- per page
routine
Rs. 40/- per page
urgent
Rs.100/- inspecting
per Register
Rs. 100/- inspection
Return/Original
file." |

3. For the existing Form-1, the following Forms shall be substituted, namely :-

**"FORM NO.I
(see rule 3)**

Memorandum of society for registration of societies

1. The Name of the society shall be.....
2. The Head office of the Society shall be situated at H.No.....Mohalla.....in Tehsil.....of the District and its address shall be
3. The objects of the society shall be as under :-
 - (1)
 - (2)
 - (3)
 - (4)
 - (5)
4. The management of the affairs of the society is entrusted by the Regulations of the Society to the Governor, Council of Directors, Committee or Governing Body, whose names, addresses and occupation are specified below:-

S.No.	Name with Father's/Husband's Name	Post	Full Address	Occupation
(1)	(2)	(3)	(4)	(5)
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				

5. One copy of the regulation of the society duly certified as required by sub-section (3) of section 6 of the Madhya Pradesh Society Registrkaran Adhinyam, 1973 (No. 44 of 1973) is filed with this memorandum of Association.

We, the several persons whose names and addresses are mentioned below are desirous of forming a society in pursuance of the aforesaid Memorandum of Association and have signed the memorandum in the presence of the witnesses as shown below:-

S.No.	Name of the subscribers with Father's/Husband's Name	Full Address	Signature
(1)	(2)	(3)	(4)
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			
(7)			

76. We office bearer/members as below accept model bye-laws Form-1A as bye-laws of the society.

(President)

(Secretary)

(Treasurer/Member)

Date.....

Witness

Signature.....

Name.....

Father's/Husband's Name.....

Full address.....

FORM IA

(see rule 3)

[Bye-laws of the society]

1. Name of the society shall be.....
2. The Head office of the society shall be situated at House No.....Mohalla.....Tehsil.....District.....
Madhya Pradesh.
3. Area of operation: Whole of Madhya Pradesh
4. Objectives of the Society :-
(As per memorandum)
.....
.....
.....
5. Members of the society shall be of the following categories :-
 - (a) **Patron Members** : The person who donates Rs. 1,000/- or more in lump sum or pay in 12 installments within a year he shall be patron member of the society:
 - (b) **Life Members**: The person who pays Rs. 500/- or more shall be life time member of the society:
 - (c) **Ordinary Members**: The person(s) who shall pay Rs. 10/- per month or Rs. 120/- per annum shall become ordinary member. The ordinary member shall only be member for the period for which he shall pay contribution:
 - (d) **Honorary Members**: The managing committee of the society can make any person or persons for membership. Such members can participate in Annual General Meeting but they shall not be entitled for vote.
6. **Obtaining the membership.**- Every person who wishes to be a member shall have to submit his application in writing before the managing committee. The managing committee shall be authorized to accept or reject such application for membership.

7. **Qualification for membership** : The following qualifications are essential for the membership of the society:-

- (i) age should not be less than 18 years;
- (ii) he should be a citizen of India;
- (iii) he has faith and follows the rules of the society;
- (iv) he should have a good moral character and should be tectotaler.

8. **Termination of membership.**- The membership of the society shall cease under any of the following conditions,-

- (i) on death;
- (ii) on madness;
- (iii) on failure to deposit the contribution of membership of the society as per rule 5;
- (iv) on resignation, if accepted; and
- (v) any other reasons related to proven moral turpitude and expulsion by the resolution of the managing committee and such decision should be communicated in writing to the concerning member.

9. **Register of membership of members shall be maintained.**-

- (a) name of every member, address, occupation and signature with date;
- (b) The date of entry of members with receipts number;
- (c) The date of termination.

10. (a) **General Meeting.**- The member who has been shown under rule 5 shall be entitled to participate in general meeting. The meeting shall be held as and when required. At least one general meeting to be organized in a year is essential. The time, place and date of general meeting shall be decided by the managing committee and communicated in writing to all members at least 15 days before the date of general meeting. The quorum of the meeting shall be 3/5th members. The first general meeting of the society shall be held within 3

months from the date of registration, in which the managing committee shall be elected.

(b) **Managing Committee.**- The meeting of the managing committee shall be organized every month and the intimation for the same should be communicated to every member of managing committee at least seven days prior to the meeting. The quorum of the meeting shall be half of the total members.

11. Power and responsibilities of the General Body.-

- (i) to sanction the previous year annual progress report;
- (ii) to make proper arrangement of permanent funds and assets of the society;
- (iii) to appoint auditor for the coming financial year;
- (iv) to consider any other subject which may be brought by the managing committee;
- (v) to sanction the statement of income and expenditure account of organization running under the society;
- (vi) to approve the annual budget.

12. Constitution of the Managing Committee.- The members who have been enrolled in the membership register specified in rule 5 shall elect the following of the office bearers and members of the managing committee by majority of vote:-

- (a) President;
- (b) Vice-President;
- (c) Secretary;
- (d) Treasurer;
- (e) Joint Secretary; and
- (f) Two members

13. Term of managing committee.- The term of the managing committee shall be three years. The managing committee shall function till the new managing committee is constituted, but this period cannot be extended more than six months and such extension of period should be approved by the general body.

14. Rights and responsibilities of the managing committee.-

- (a) to arrange the fulfillment of object for which the society has been constituted;
- (b) to submit the duly audited statement of income and expenditure account of last year well examined with the statement of annual progress report before the general body every year;
- (c) to make payment and allowance to the employees in the institutions working under the society and to make the payment of taxes charged on the assets and immovable property of the society;
- (d) to appoint the necessary staff/teachers;
- (e) to perform the necessary works as may be assigned by the general meeting from time to time;
- (f) any immovable property shall not be transferred or otherwise acquired or sold without written permission of the Registrar of the society;
- (g) the proposal for the amendment in the bye-laws of the society, the special meeting shall be summoned for considering the discussions and for sanction, it shall be put up before the general meeting for passing resolution of amendment. There should be 2/3rd majority of general meeting to pass the resolution for amendments and it shall be sent to the Registrar for approval in prescribed form.

15. Rights of the President.- The President shall preside over all the meeting of the managing committee and general meeting and shall arrange the general meeting as well as managing committee through Secretary. The President shall have right of casting vote.

16. Rights of the Vice-President.- In the absence of the President, the Vice-President shall preside all the general meeting of the managing committee and shall also exercise such powers of the President.

17. Rights of the Secretary.-

- (a) to call general meeting and managing committee meeting as and when required and put up all application;

- (b) to prepare statement of income and expenditure accounts after duly audited by the auditor and put up before the general meeting;
 - (c) to make arrangement for preparing all the papers of the society and inspect them if any irregularity is found, then the report should be laid before managing committee for information;
 - (d) the Secretary shall be authorized to accord approval for sanction of amount up to Rs. 5,000/- at a time.
18. **Rights of Joint Secretary.**- In absence of Secretary, the Joint Secretary shall exercise all the powers of the Secretary.
19. **Rights of the Treasurer.**- To maintain the accounts of the Society and make expenditure duly sanctioned by the Secretary of the managing committee.
20. **Bank Account.**- The funds of the Society shall be deposited in Scheduled Bank or Post Office. The withdrawal of the funds shall be done by joint signature of the President/Secretary and Treasurer. For daily expenses a maximum of Rs. 5,000/- shall remain with treasurer.
21. **The information to be submitted to the Registrar.**- Under section 27 of Madhya Pradesh Society Registrikaran Adhiniyam, 1973 (No. 44 of 1973), the list of the managing committee in the prescribed form to be submitted within 45 days from the date of annual general meeting of the Society. Under section 28 of the said Act, audited accounts be submitted in prescribed time every year.
22. **Dissolution.**- The dissolution shall be passed by the Society by 3/5th majority of the members are present. The above process shall be executed if in conformity to the provisions of the Act.
23. **Property.**- All movable or immovable property shall be in the name of the Society. Immovable property of the society (fixed assets) cannot be disposed of or acquired by selling, donation or otherwise without the written permission of the Registrar of the Societies.

6. For the existing Forms VI and VII, the following forms shall be substituted, namely :-

"FORM-VI
(see rule 10)

Application for permission to sale, gift or otherwise of acquiring immovable property under section 21 of the Madhya Pradesh Society Registrikaran Adhiniyam, 1973 (No. 44 of 1973).

1.	Name of the Society and complete address		
2.	Registration number and date of the Society		
3.	Complete specifications of immovable property which is going to be earned/purchase/gift/transferred/sold or otherwise		
4.	Reasons for purchase/sale or otherwise or transferred or objects of the property other than the purpose of the Society		
5.	Date of meeting of the Executive Body of the Society wherein the resolution for sale/purchase or to transferred has been passed		
6.	The fee for permission for purchase, sale or transfer etc. of immovable property has been deposited Rs.....vide Receipt/Challan No.....dated.....original copy is enclosed		

We, the authorised officers of the Society, hereby, declare that :-

- (1) We, the undersigned signatories are the office bearers of the Executive Body, the aforesaid information is based on the record of the Society and is true to the best of our knowledge and belief.
- (2) It is properly verified that the seller of the said property does not belong to the Scheduled Tribes.
- (3) The purchase/sale of the said property is not prohibited, if the permission for purchase/sale is necessary for any authority, then it shall be obtained by us.
- (4) The property shall be purchased/sold by the society in accordance with the guidelines of the Collector. If any false information is submitted, then we shall be

liable for punishment under sub-section (2) of section 38 of the Madhya Pradesh Societies Registration Act, 1973 (No. 44 of 1973).

Signature.....

Name.....

President.....

Signature.....

Name.....

Secretary.....

FORM VII

(see rule 11)

Proforma for submitting information of the list of Governing body under section 27 of the Madhya Pradesh Society Registrkaran Adhiniyam, 1973 (No. 44 of 1973).

1. Name of the Society and complete address
2. Registration number and date
3. Date of Annual General Body Meeting
4. List of existing office bearers: Working period from to.....

S.No.	Name, Father's/ Husband's Name	Address	Post held	Principal Occupation	Signature
(1)					
(2)					
(3)					
(4)					
(5)					
(6)					
(7)					

5. The annual fees under section 27 of the Madhya Pradesh Society Registrkaran Adhiniyam, 1973 (No. 44 of 1973) of Rs. has been deposited vide Challan No. Date original copy thereof is enclosed.

DECLARATION

I,S/O, D/O, W/O aged about years, in form of an authorized officer, hereby declare that the aforesaid information is true being based on the record of the Society and to the best of our knowledge. I, undersigned authorized signatory officer is in possession of the record of the Society. I know, if any false information is submitted by me the, I shall be liable for punishment under sub section (2) of section 38 of the said Act.

Signature

Name

(President/Secretary)

By order and in the name of the
Governor of Madhya Pradesh,


(Anil Bhartiya)

Deputy Secretary

Government of Madhya Pradesh
Commerce, Industry and Employment Department